

**Minutes of the Planning Board
March 8, 2016**

PRESENT: Rob Luntz, Chairman
Bruce Kauderer
Steve Krisky
Janet Mainiero
Rocco Mastronardi

Also present: Bob Anderson, Village Liaison
Daniel O'Connor, Village Engineer
Doug Wehrle, VEB Chairman

1. CALL TO ORDER

Chairman Luntz called the meeting to order at 8:00 p.m.

2. PUBLIC HEARING

- a) *TGL Realty Co. Inc.--49 North Riverside Avenue (Sec. 78.08 Block 3 Lots 80, 81)--
Application for Amended Site Plan Approval for proposed new addition and outdoor
terrace to Ocean House.*

Present: Paula Galvin, restaurant owner; James Coleman, Architect

DISCUSSION

Mr. Coleman summarized the proposed project and noted that there will be a new entry, new brick terrace, new pantry, and a new ADA bathroom. The new ramp will make the building more accessible. There will be three new windows where the original entry door was, and the color scheme of the proposed new building will be consistent with the existing building.

PUBLIC HEARING OPEN MOTION: Mr. Mastronardi motioned to open the public hearing, Ms. Mainiero seconded, all in favor 5-0.

PUBLIC HEARING

Members of the audience addressed the Planning Board:

Chris Kehoe, 45 Farrington, expressed support for the application. He also acknowledged that there were traffic issues in this area and asked about the availability of parking lots in the vicinity of Brook Street and Riverside Avenue. He also asked about the possibility of moving the bus stop near Farrington Road further down N. Riverside Avenue in order to improve sight lines.

Doug Wehrle, Chair of the VEB, stated the VEB had reviewed the initial plans and the committee was very enthusiastic about the proposal. The VEB recommended installing a toned down lattice wooden fence between the ramp and the brick paving. The architect noted that the plans had addressed the fence in the updated plans.

Dave Bauder, 46 Farrington, expressed his support for the restaurant's proposal, however he noted that customers park illegally in front of the restaurant and create a safety hazard when residents drive out of Farrington.

Craig Purdy, owner of Tagine and Umami, expressed his support for the proposed plan. He noted that an outdoor patio is seasonal and a nice amenity for a restaurant.

Barbara Wertheim, 9 Farrington, stated that it is her belief that resident parking is encroached upon especially on weekends. Most of the residents do not have off street parking. Although she stated that she can't attribute the number of cars to this restaurant alone, she expressed her concerns about adding to the traffic and the safety of the corner at North Riverside and Farrington. She also stated that there is limited lighting in this area. She commented that the smells of the restaurant were "awful."

Another resident of Farrington Road (name not given) also noted that, although not the fault of the restaurant, a driver takes a chance coming out of Farrington Road.

Ms. Galvin responded that they had at one time put out cones in front to prevent parking but the cones were stolen. They already ask patrons to move the cars if they are parked out in front but she noted that cars are parked on the street for other businesses on the street and not only for Ocean House. Ocean House's employees park on North Riverside not on Farrington. Mr. Coleman noted that the plan is in compliance with the zoning code.

Mr. Krisky asked about the possibility of changing the reservation system from "no reservations" to a reservation system. Ms. Galvin stated that for a place this small, reservations do not work well. The sign-up system that is currently used is a way to maximize the very small number of seats available.

Ms. Mainiero noted that the restaurant is not adding any additional seating inside the restaurant. Ms. Galvin said that the proposed patio is intended to serve as a waiting area for customers. Instead of customers waiting at the Tavern, the customers could wait on the proposed patio at Ocean House.

Ms. Mainiero asked about the resident's comment about the odors, and Ms. Galvin responded that the space had been a restaurant since 1923, the food served is fresh, the restaurant is properly vented according to code, and is in accordance with the requirements of the Westchester County Health Department.

Chairman Luntz stated that it is the responsibility of the municipality to enforce the traffic laws.

The Village Engineer stated that police can do local traffic control, but North Riverside is a state highway. The DPW can do striping but if a crosswalk is desired it would require DOT approval. The Planning Board agreed that the Planning Board should make a formal recommendation to the Village Board to request that the NYSDOT analyze this area for a more long-term traffic control solution.

Mr. Krisky asked if Ms. Galvin might reconsider the restaurant's reservation policy in order to alleviate some of the complaints about the car drop-off congestion. He also suggested that she might want to inquire about parking possibilities during weekend off-hours at the Medical Center on Riverside.

PUBLIC HEARING CLOSED

Mr. Krisky motioned to close the public hearing, seconded by Mr. Mastronardi, and the motion carried all in favor, 5-0. A memo regarding the request for a NYSDOT analysis of traffic in this area will be drafted by staff to be reviewed by the Chairman and then sent to the Village Manager and the Village Board.

APPROVAL OF RESOLUTION:

Mr. Kauderer made a motion to approve the resolution, as amended, for the proposed amended site plan, seconded by Mr. Mastronardi, and carried, all in favor by a vote of 5-0.

3. DISCUSSION

- a) *ShopRite Supermarkets, Inc. at 460 South Riverside Avenue (Sec. 79.17 block 2 Lot 2) - Informal discussion about site plans.*

Present: Dan Hollis, Esq., Dan Peveraro, P.E. (The Lauro Group)

The discussion centered on the following issues:

Tree plans:

Chairman Luntz asked about the curb heights of the tree islands, and Mr. Peveraro responded that they will be the standard 6". After some brief discussion about the existing trees, Chairman Luntz recommended that ShopRite discuss the tree plans with their landscape expert and to plant the trees in locations where they can thrive.

Lighting:

Mr. Peveraro confirmed that all the new bollard lights along the ADA compliant sidewalk will be LED lights and all the old and new lighting on the ShopRite site plan will be replaced with LED lights. The lighting in the traffic lanes behind the building are not part of the landlord's property and will stay the same.

Drainage:

Ms. Mainiero asked about the drainage in the southern end of the parking lot. Mr. Peveraro stated that they are working on a solution for grading and drainage in that area according to the Storm Water Pollution Prevention regulations. The Village Engineer asked about capturing the floatables that end up in the Croton Bay. Mr. Peveraro stated that there will be hoods on all the catch basins so the floatables stay in the catch basins. The catch basins usually get cleaned every six months and then a determination is made as to what is the best schedule for cleaning. The landlord is responsible for cleaning out the catch basins. Cleaning is part of the SWPP requirements; there is a standard agreement for upkeep and maintenance.

The Village Engineer noted that the property owner is the primary person responsible for upkeep and maintenance of the catch basins. The village has the right to enter the property and do necessary maintenance if needed.

Mr. Krisky and Ms. Mainiero both commented that the parking lot is very untidy and asked about enforcement mechanisms. Mr. Hollis stated that the site plan stipulates the conditions, and if the site plan is not complied with, the court gets involved. The Village Engineer stated that there is an annual certification of the property owner that they are in compliance with the plan. Based on this certification, inspections are conducted by the Engineering Department.

Solar Panels:

The Planning Board asked Mr. Peveraro if ShopRite was planning on installing solar panels. Mr. Peveraro stated that he had inquired about the possibility but Shoprite does not appear to be interested in the installation of solar panels on its stores. They are not seen on any stores. Several Planning Board members suggested that it may not be financially beneficial for the store to install solar panels.

Parking Lot:

The Village Engineer stated that there will be general improvements such as repairs and restriping to the parking lot. Mr. Peveraro stated that he didn't know the specifics of the plan and he will look into it.

Building:

Mr. Peveraro stated that all sides of the building are being refreshed and will be painted with neutral tones so that there will be a uniform look. The sign in the back of the building will be replaced.

Pedestrian Access

Mr. Wehrle, Chairman of the VEB, asked about the possibility of a ramp and pedestrian access down the northern driveway to ShopRite.

Chairman Luntz explained that after extensive and lengthy discussions in multiple Planning Board meetings, the Planning Board had come to the reluctant conclusion that given the site conditions, there is no possibility of incorporating a ramp that would meet ADA requirements

near the northern driveway entrance. Mr. Wehrle expressed frustration with this decision. The Planning Board members explained to Mr. Wehrle that all suggestions had been explored by the board and they too were disappointed that a sidewalk was not an option in this location.

Chairman Luntz stated that the Planning Board did suggest that the Village work with the Beeline Bus of Westchester County and consider creating a bus stop that is further down from Croton Point Avenue towards Van Cortlandt Manor.

Ms. Mainiero inquired about the letter (dated January 12, 2015) from the Westchester County Planning Board which had made recommendations including a bicycle rack, pedestrian access, green building technology and stormwater management. The Village Engineer stated that staff will send a copy of the letter to Mr. Hollis. Mr. Hollis stated that he will reply to the letter and send it to the Planning Board Chairman and the Village Engineer.

4. APPROVAL OF MINUTES

Mr. Kauderer made a motion to approve the minutes of February 23, 2016, seconded by Mr. Krisky, and carried all in favor by a vote of 5-0.

5. MISCELLANEOUS ITEMS:

- Mr. Krisky asked about whether the bright blue library book donation bins needed Planning Board review or permitting. The Village Engineer stated it was an interpretation of the zoning code whether or not these types of bins were accessory structures. Mr. Anderson is meeting with Yvonne Cech, Library Director next week and will inquire about the bins.
- 3 Arrowcrest Drive (Fallacaro)--The Planning Board reiterated the importance of a letter of engagement which defines the terms of the proposed review prior to hiring Mr. Mastromonaco as the engineer. The Village Engineer will discuss the letter of engagement with Mr. Hilpert.
- The Village Engineer stated that Mr. Chris Lee of the NYSDOT had looked at the sidewalks near Mobil on Hudson. Mr. Lee had mentioned some potential issues with the driveway entrances onto Maple and South Riverside. A site meeting is to be scheduled.

6. ADJOURNMENT

There being no further business to come before the board, the meeting was duly adjourned at 9:55 p.m.

Respectfully submitted,

Ronnie L. Rose
Secretary to the Planning Board